

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MARIA GUZMAN MORALES &  
MAURICIO R. GUARJARDO,  
*On behalf of themselves and all other  
similarly situated individuals,*

Plaintiffs,

v.

FARMLAND FOODS, INC.,

Defendant.

CASE NO. 8:08-cv-504

**DEFENDANT'S NOTICE OF APPEAL**

Pursuant to Federal Rule of Appellate Procedure 3, Defendant, Farmland Foods, Inc., by and through undersigned counsel, hereby gives notice that it appeals to the United States Court of Appeals for the Eighth Circuit from the following Order and Judgment of the Honorable Joseph F. Bataillon, United States District Judge of the District of Nebraska:

1. Docket Order of April 19, 2013, (Filing No. 458, Memorandum and Order), granting attorney fees of \$2,008,142.00 to plaintiffs, and costs and expenses in the amount of \$275,416.00; and

2. Judgment of April 19, 2013, (Filing No. 459, Judgment) entering judgment in favor of plaintiffs for amounts set forth in Memorandum and Order, Filing No. 458.

Respectfully submitted this 30th day of April, 2013.

/s/ Kenneth M. Wentz III

Kenneth M. Wentz III (NE # 23580)

Jackson Lewis LLP

10050 Regency Circle, Suite 400

Omaha, Nebraska 68114

Tel: (402) 391-1991

Fax: (402) 391-7363

[wentzk@jacksonlewis.com](mailto:wentzk@jacksonlewis.com)

L. Dale Owens, Esq.

Admitted *Pro Hac Vice*

Georgia Bar No. 557482

JACKSON LEWIS LLP

1155 Peachtree Street, NE, Suite 1000

Atlanta, Georgia 30309-3600

Tel: (404) 525-8200

Fax: (404) 525-1173

[owensd@jacksonlewis.com](mailto:owensd@jacksonlewis.com)

Steven D. Davidson, Esq. (NE # 18684)

Allison D. Balus, Esq. (NE # 23270)

BAIRD HOLM, LLP

1500 Woodmen Tower

1700 Farnam Street

Omaha, Nebraska 68102-2068

Tel: (402) 636-8254

Fax: (402) 344-0588

[sdavidson@bairdholm.com](mailto:sdavidson@bairdholm.com)

[abalus@bairdholm.com](mailto:abalus@bairdholm.com)

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MARIA GUZMAN MORALES &  
MAURICIO R. GUARJARDO,

Plaintiffs,

v.

FARMLAND FOODS, INC.

Defendant.

CASE NO. 8:08-cv-504

**CERTIFICATE OF SERVICE**

I hereby certify that on April 30, 2013, I served the foregoing **DEFENDANT'S NOTICE OF APPEAL** via electronic filing. Notice of this filing will be sent to the following by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Carolyn H. Cottrell  
Christopher P. Welsh  
James R. Welsh  
Philip A. Downey  
Shanon J. Carson  
Todd M. Schneider

I hereby certify also that I have mailed by United States Postal Service the document to the following non CM/ECF participants:

None.

/s/ Kenneth M. Wentz III  
Kenneth M. Wentz III (NE # 23580)  
Jackson Lewis LLP  
10050 Regency Circle, Suite 400  
Omaha, Nebraska 68114  
Tel: (402) 391-1991  
Fax: (402) 391-7363  
[wentzk@jacksonlewis.com](mailto:wentzk@jacksonlewis.com)

ATTORNEYS FOR DEFENDANT

FARMLAND FOODS, INC.

4842-8088-3731, v. 3